



PTO/SB/21 (08-03)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/731,955
		Filing Date	December 10, 2003
		First Named Inventor	Clinton B. Carlisle
		Art Unit	not yet known
		Examiner Name	not yet known
Total Number of Pages in This Submission	5 **	Attorney Docket Number	10021.001510 (P0225-1)

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> PTO Form SB-08b; Copy of cited ref: A document Return receipt postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		** does not include pages of cited references

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Patrick D. Benedicto, Reg No. 40,909 OKAMOTO & BENEDICTO LLP	
Signature		
Date	March 12, 2004	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Patrick D. Benedicto		
Signature		Date	March 12, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Clinton B. Carlisle, et al.

Serial No. 10/731,955

Examiner: not yet known

Filed: December 10, 2003

Art Unit: not yet known

Title: Optical Device With Polarization
Diversity Module

Atty. Dkt. No.: 10021.001510 (P0225-1)

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Under 37 C.F.R. §1.56 and §§1.97-98

Sir:

Pursuant to the provisions of 37 CFR 1.56 and §§1.97-98, enclosed herewith is form PTO/SB/08 (substitute for form 1449A/PTO) listing references which may be material to the examination of this application, and with respect to which there may be a duty to disclose. The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

A copy of each listed reference is enclosed herewith, unless no such copy is required pursuant to 37 CFR § 1.98(d).

- This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. [SERIAL NUMBER], filed on [FILING DATE], and the references cited therein are hereby listed but are not required to be provided in this application under 37 CFR § 1.98(d).

Pursuant to 37 CFR §1.97, this Information Disclosure Statement is being submitted under the section indicated below.

- 37 CFR §1.97(b).
- 37 CFR §1.97(c). If so, then either:
 - Applicant certifies pursuant to 37 CFR § 1.97(e) that either:
 - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56 (c) more than three months prior to the filing of this Statement.
- OR
- Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).
- 37 CFR § 1.97(d). If so, then both:
 - Applicant certifies pursuant to 37 CFR § 1.97(e) that either:
 - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement.
- AND
- Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).

Consideration of the listed references and favorable action are respectfully solicited.

Respectfully submitted,

Clinton B. Carlisle, et al.

Dated: March 12, 2004

By: Patrick D. Benedicto

Patrick D. Benedicto

Attorney For Applicant(s)

Reg. No. 40,909

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San Jose, CA 95164-1330

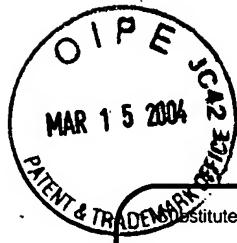
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Signature:	<u>Patrick D. Benedicto</u>		
Typed or Printed Name:	Patrick D. Benedicto	Dated:	March 12, 2004
Express Mail Mailing Number (optional):			



MAR 15 2004

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

<i>Complete if Known</i>	
<i>Application Number</i>	10/731,955
<i>Filing Date</i>	December 10, 2003
<i>First Named Inventor</i>	Clinton B. Carlisle
<i>Art Unit</i>	not yet known
<i>Examiner Name</i>	not yet known
<i>Attorney Docket Number</i>	10021.001510 (P0225-1)

NON-PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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